

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims

Claims 1-20 remain in this application. Claim 1 is amended herewith. Support for the amendment can be found at least in paragraphs [0028]-[0029], [0116] and [0170] of the published application (2007/0105460) as well as FIG. 1a.

35 USC 103(a) Rejections

Claims 1, 2, 4-8, 10 and 17-20 were rejected under 35 USC 103(a) as being unpatentable over TRIBIOLI et al. US 5,506,065 in view of CHARLOT et al. EP 0307292, LEBEN et al. US 4,752,542 and GUY 3,394,034. That rejection is respectfully traversed.

Claim 1 is amended to clarify that the auxiliary electrical cell directly supplies electrical energy to an engine for the propulsion of the movable device and all members of the electrical cell during the stage of launching.

In TRIBIOLI, the auxiliary battery 20 is used only to supply the motor of the pump 10 of the battery 1. In CHARLOT, the "small auxiliary pile 11" is used only to feed the motor 10 of the pump 9. In LEBEN, there is no auxiliary battery.

Thus, as recognized in the Official Action, TRIBIOLI in view of CHARLOT and LEBEN do not disclose that the auxiliary electrical cell is configured to supply electrical energy to an engine for the propulsion of the movable device and all members of the electrical cell during the stage of launching.

Newly cited GUY is offered for this feature. Page 5 of the Official Action provides that column 4, lines 17-36 of GUY discloses a device wherein the auxiliary electrical cell (67) is configured to supply electrical energy to an engine for the propulsion of the movable device during the stage of launching.

However, this characterization of GUY is contrary to the disclosure of GUY.

It is clearly explained on column 4, lines 17-36 of GUY that the battery 67 is activated and feeds the motor of the clock mechanism 66 which by its output shaft 65 and the pinion-wheel 64, drives the wheel 63 connected to the shaft 61 on which are secured the cams 51.

Moreover, column 4, lines 6-15 of GUY explain that there is an electric clock mechanism 66 (line 10) and that a battery 67 is mounted on the plate 56 and is connected at 68 and 69 to the electric motor included in said mechanism.

The battery 67 of GUY is not connected to an engine for the propulsion of a movable device but to the motor of the clock mechanism. Such clock mechanism is not an engine for the propulsion of the movable device. Thus, GUY does not disclose

that an auxiliary electrical cell directly supplies electrical energy to an engine for the propulsion of the movable device and all members of the electrical cell during the stage of launching.

As such feature is missing from each of the references; its presence would not somehow appear from any proper combination of the references and thus the proposed combination of references does not render obvious claim 1.

The dependent claims are believed to be patentable at least for depending from an allowable independent claim.

Claim 3 was rejected under 35 USC 103(a) as being unpatentable over TRIBIOLI in view of CHARLOT and LEBEN and GUY and further in view of MCDERMOTT US Publication No. 2003/0228516. That rejection is respectfully traversed.

MCDERMOTT is only cited with respect to features of claim 3. MCDERMOTT does not overcome the shortcomings of TRIBIOLI, CHARLOT, LEBEN and GUY set forth above with respect to claim 1. Since claim 3 depends from claim 1 and further defines the invention, this claim is believed to be patentable at least for depending from an allowable independent claim.

Claim 9 was rejected under 35 USC 103(a) as being unpatentable over TRIBIOLI in view of CHARLOT and LEBEN and GUY and further in view of TUCKER et al. US 5,733,679. That rejection is respectfully traversed.

TUCKER is only cited with respect to features of claim 9. TUCKER does not overcome the shortcomings of TRIBIOLI, CHARLOT, LEBEN and GUY set forth above with respect to claim 1. Since claim 9 depends from claim 1 and further defines the invention, this claim is believed to be patentable at least for depending from an allowable independent claim.

Claim 11 was rejected under 35 USC 103(a) as being unpatentable over TRIBIOLI in view of CHARLOT and LEBEN and GUY and further in view of DIFRANCESCO et al. US 5,199,487. That rejection is respectfully traversed.

DIFRANCESCO is only cited with respect to features of claim 11. DIFRANCESCO does not overcome the shortcomings of TRIBIOLI, CHARLOT, LEBEN and GUY set forth above with respect to claim 1. Since claim 11 depends from claim 1 and further defines the invention, this claim is believed to be patentable at least for depending from an allowable independent claim.

Claim 12 was rejected under 35 USC 103(a) as being unpatentable over TRIBIOLI in view of CHARLOT and LEBEN and GUY and further in view of RIGO et al. US 4,108,736. That rejection is respectfully traversed.

RIGO is only cited with respect to features of claim 12. RIGO does not overcome the shortcomings of TRIBIOLI, CHARLOT, LEBEN and GUY set forth above with respect to claim 1. Since claim 12 depends from claim 1 and further defines the

invention, this claim is believed to be patentable at least for depending from an allowable independent claim.

Claim 13 was rejected under 35 USC 103(a) as being unpatentable over TRIBIOLI in view of CHARLOT and LEBEN and GUY and further in view of SUNSHINE et al. US 6,033,602. That rejection is respectfully traversed.

SUNSHINE is only cited with respect to features of claim 13. SUNSHINE does not overcome the shortcomings of TRIBIOLI, CHARLOT, LEBEN and GUY set forth above with respect to claim 1. Since claim 13 depends from claim 1 and further defines the invention, this claim is believed to be patentable at least for depending from an allowable independent claim.

Claim 14 was rejected under 35 USC 103(a) as being unpatentable over TRIBIOLI in view of CHARLOT and LEBEN and GUY and further in view of DIFRANCESCO and RIGO. That rejection is respectfully traversed.

DIFRANCESCO and RIGO are only cited with respect to features of claim 14. DIFRANCESCO and RIGO do not overcome the shortcomings of TRIBIOLI, CHARLOT, LEBEN and GUY set forth above with respect to claim 1. Since claim 14 depends from claim 1 and further defines the invention, this claim is believed to be patentable at least for depending from an allowable independent claim.

Claim 15 was rejected under 35 USC 103(a) as being unpatentable over TRIBIOLI in view of CHARLOT and LEBEN and GUY and further in view of HONER US 3,966,497. That rejection is respectfully traversed.

HONER is only cited with respect to features of claim 15. HONER does not overcome the shortcomings of TRIBIOLI, CHARLOT, LEBEN and GUY set forth above with respect to claim 1. Since claim 15 depends from claim 1 and further defines the invention, this claim is believed to be patentable at least for depending from an allowable independent claim.

Claim 16 was rejected under 35 USC 103(a) as being unpatentable over TRIBIOLI in view of CHARLOT and LEBEN and GUY and further in view of DESA et al. US Publication No. 2003/0179652. That rejection is respectfully traversed.

DESA is only cited with respect to features of claim 16. DESA does not overcome the shortcomings of TRIBIOLI, CHARLOT, LEBEN and GUY set forth above with respect to claim 1. Since claim 16 depends from claim 1 and further defines the invention, this claim is believed to be patentable at least for depending from an allowable independent claim.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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